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FAX COVER LETTER

November 27, 2001

TO: U.S. Patent and Trademark Office
PHONE:
FAX: 703-746-7239

FROM: Steven Lieske
DIRECT DIAL: (612) 607-7508
E-MAIL: slieske@oppenheimer.com
RE: Serial No. 09/387,747

COMMENTS: Examiner Todd Ingberg (Art Unit 2122) has allowed this case. However, the file does not contain the Petition to Make Special. In response to Examiner Ingberg's request, here is a copy of the original petition and the renewed petition to make special.

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Completed by : Carol Dufault / 7375

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michel K. Bowman-Amuah

App. Ref.: AND1P229

Examiner: HAFIZ, T.

Serial No.: 09/387,747

Filing Date: 8/31/99

Art Unit: 2762

Title:

A System, Method And Article Of
Manufacture For A Development
Architecture Framework

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being faxed to: Assistant
Commissioner for Patents, Washington, DC 20231 on

12-10-99

Signed:

Julie Curtis

Assistant Commissioner for Patents
Washington D.C. 20231

RENEWED PETITION TO MAKE SPECIAL
37 C.F.R. 1.102 and MPEP § 708.02(II)

Sir:

I hereby petition for Advancement of Examination of the above referenced
application under 37 C.F.R. 1.102 and MPEP 708.02(II).

As the undersigned practitioner, being duly registered to practice before the U.S.
Patent and Trademark Office, I make the following statements in support of this petition.

I am informed, believe and allege thereon that an infringing device or product is
actually on the market and/or an infringing method is actually in use (MPEP 708.02(II)(A)).

I have made a rigid comparison of the alleged infringing device, product or method
with the claims of the application, and in my opinion some of the claims are unquestionably
infringed (MPEP 708.02(II)(B)).

I have made or caused to be made a careful and thorough search of the prior art
(MPEP 708.02(II)(C)).

A copy of each of the references deemed most closely related to the subject matter of
the claimed invention has previously been submitted in case 09/387,747.

FEES

The necessary fee for this petition were previously paid with an initial petition in this case.

Hickman Stephens & Coleman, LLP
P.O. Box 52037
Palo Alto, California 94303

Telephone: 408.558.9950
Facsimile: 408.558.9960

Respectfully Submitted,



Keith Stephens
Reg. No. 32,632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michel K. Bowman-Amuah

App. Ref.: AND1P229

Serial No.: 09/387,747

Filing Date: 8/31/99

Title:

A System, Method And Article Of
Manufacture For A Development
Architecture Framework

Examiner: HAFIZ, T.

Art Unit: 2762

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on October 15, 1999.

Signed:


Julie A. Curtis

Assistant Commissioner for Patents
Washington D.C. 20231

PETITION TO MAKE SPECIAL
37 C.F.R. 1.102 and MPEP § 708.02(VIII)

Sir:

1. Petition

Applicant hereby petitions to make this new application special. This application has not received any examination by the Examiner.

2. Fee

The Office is authorized to charge the required fee for this petition to deposit account 50-0797, of Andersen Consulting, LLP. At any time during the pendency of this application, please charge any fees required or credit any overpayments to the aforementioned deposit account. A duplicate copy of this petition (cover and signature pages only) is enclosed for billing purposes.

3. Claims

All of the claims in this case are directed to a single invention. If the Office determines that all of the claims presented are not directed to a single invention, then applicant will make an election without traverse as a prerequisite to the grant of special status.

4. Search

The searches included databases of U.S. patents, published Patent Cooperation Treaty applications, European patents and published applications, Japanese patents, industry publications, and Internet web sites.

An outside search was first performed by NERAC, Inc. of Tolland, Connecticut (<http://www.nerac.com>). This search revealed 18 potential references, of which: 8 are U.S. patents, 2 are published European patent applications, 3 are published Patent Cooperation Treaty applications, and 5 are industry publications.

A further search was then carried out by one of this firm's own technical experts using commercially available databases. This search revealed 19 potential references, of which 9 are U.S. patents, 7 are published Patent Cooperation Treaty applications, and 3 are industry publications or materials from Internet web sites.

5. Discussion of Related References

There is submitted herewith a copy of each of the references deemed most closely related to the subject matter of the claimed invention. Also attached are forms PTO/SB/08A and 08B (formerly Form PTO-1449).

(1) U.S. Pat. No. 5,953,707 by Huang, et al., issued September 14, 1999

This is titled "Decision Support System For The Management Of An Agile Supply Chain" and it teaches:

A decision support system for the management of an agile supply chain that provides an architecture including a server side and a client side. The server side includes a decision support system database that interfaces with a model engine that performs analysis of the data to support planning decisions. The server side includes a server manager that coordinates requests for service and information. The client side includes decision frames that present the various view points available in the system to the users. A frame manager coordinates the requests from decision support frames to access the needed data and models. The decision support frames provide a view into the supply chain and integrate analytical models responsive to the view point of a

business process such as demand management. The frames include a supply management frame, a demand management frame, a vendor managed replenishment frame, a Planning, Sales and Inventory planning frame, and a distribution network design frame. The frame manager includes a system integrator and a functional integrator. A database management system manages the supply and maintenance of information needed by the modeling processes through the frame manager. A domain management process limits data available to said frame responsive to a user selection. The system also includes a demand and supply reconciliation process; a capacity planning process; a vendor managed replenishment process; and a scenario management process.

The reference fails to disclose, teach or suggest the system, method and article of manufacture for a development architecture framework of the present invention which includes managing information that supports a project being carried out by a development architecture framework; handling security of the development architecture framework by defining security requirements and auditing the development architecture framework to ensure that the security requirements are met; ensuring quality of the project being carried out by the development architecture framework by obtaining measurements relating to predetermined criterion of the project, statistically analyzing the measurements, and training personnel based on the statistical analysis in order to improve the quality of the project; managing the project being carried out by the development architecture framework by generating a plan to carry out the project, scheduling a timeline for executing the plan, tracking the execution of the plan, and reporting information uncovered during tracking; governing an environment in which the project is carried out by the development architecture framework; coordinating the delivery of components of the project in a selected order; rectifying problems that occur during the delivery of the components of the project; and maintaining updated support information during the delivery of the components of the project; as is required by each of the independent claims.

(2) U.S. Pat. No. 5,907,704 by Gudmundson, et al., issued May 25, 1999

This is titled "Hierarchical Encapsulation Of Instantiated Objects In A Multimedia Authoring System Including Internet Accessible Objects" and it teaches:

An application development system, optimized for authoring multimedia titles, enables its users to create selectively reusable object containers merely by defining links among instantiated objects. Employing a technique known as Hierarchical Encapsulation, the system automatically isolates the external dependencies of the object containers created by its users, thereby facilitating reusability of object containers and the objects they contain in other container

environments. Authors create two basic types of objects: Elements, which are the key actors within an application, and Modifiers, which modify an Element's characteristics. The object containers (Elements and Behaviors--i.e., Modifier containers) created by authors spawn hierarchies of objects, including the Structural Hierarchy of Elements within Elements, and the Behavioral Hierarchy, within an Element, of Behaviors (and other Modifiers) within Behaviors. Through the technique known as Hierarchical Message Broadcasting, objects automatically receive messages sent to their object container. Hierarchical Message Broadcasting may be used advantageously for sending messages between object containers that may be located remotely from each other, such as over a Local Area Network or the Internet. Even whole object containers may be transmitted and remotely recreated over the network. Furthermore, the system may be embedded within a page of the World-Wide Web.

The reference fails to disclose, teach or suggest the system, method and article of manufacture for a development architecture framework of the present invention which includes managing information that supports a project being carried out by a development architecture framework; handling security of the development architecture framework by defining security requirements and auditing the development architecture framework to ensure that the security requirements are met; ensuring quality of the project being carried out by the development architecture framework by obtaining measurements relating to predetermined criterion of the project, statistically analyzing the measurements, and training personnel based on the statistical analysis in order to improve the quality of the project; managing the project being carried out by the development architecture framework by generating a plan to carry out the project, scheduling a timeline for executing the plan, tracking the execution of the plan, and reporting information uncovered during tracking; governing an environment in which the project is carried out by the development architecture framework; coordinating the delivery of components of the project in a selected order; rectifying problems that occur during the delivery of the components of the project; and maintaining updated support information during the delivery of the components of the project; as is required by each of the independent claims.

(3) U.S. Pat. No. 5,890,133 by Ernst, issued March 30, 1999

This is titled "Method And Apparatus For Dynamic Optimization Of Business Processes Managed By A Computer System" and it teaches:

The invention relates to a method and a device for the dynamic optimization of business processes, the business process instances of a business process being managed by a workflow management computer system. The invention is in

particular characterized by collecting, investigating and storing parameters, processing data and result data, and subsequently optimizing business processes on the basis of stored information by identifying a business process instance having propitious result data, modifying the parameters of said instance and subsequent verification of such modification. The invention is further characterized by the use of genetic algorithms and orthogonal matrices for the modification of the parameters of the identified business process instance with propitious result data. The invention is suitable for being used in the process optimization in production engineering and plant engineering and in process optimization in the service field.

The reference fails to disclose, teach or suggest the system, method and article of manufacture for a development architecture framework of the present invention which includes managing information that supports a project being carried out by a development architecture framework; handling security of the development architecture framework by defining security requirements and auditing the development architecture framework to ensure that the security requirements are met; ensuring quality of the project being carried out by the development architecture framework by obtaining measurements relating to predetermined criterion of the project, statistically analyzing the measurements, and training personnel based on the statistical analysis in order to improve the quality of the project; managing the project being carried out by the development architecture framework by generating a plan to carry out the project, scheduling a timeline for executing the plan, tracking the execution of the plan, and reporting information uncovered during tracking; governing an environment in which the project is carried out by the development architecture framework; coordinating the delivery of components of the project in a selected order; rectifying problems that occur during the delivery of the components of the project; and maintaining updated support information during the delivery of the components of the project; as is required by each of the independent claims.

(4) U.S. Pat. No. 5,721,908 by Lagarde, et al., issued February 24, 1998

This is titled "Computer Network For WWW Server Data Access Over Internet" and it teaches:

A World Wide Web browser makes requests to web servers on a network which receive and fulfill requests as an agent of the browser client, organizing distributed sub-agents as distributed integration solution (DIS) servers on an intranet network supporting the web server which also has an access agent servers accessible over the Internet. DIS servers execute selected capsule objects which perform programmable functions upon a received command from a web server control program agent for retrieving, from a database gateway coupled to a plurality of database resources upon a single request

made from a Hypertext document, requested information from multiple data bases located at different types of databases geographically dispersed, performing calculations, formatting, and other services prior to reporting to the web browser or to other locations, in a selected format, as in a display, fax, printer, and to customer installations or to TV video subscribers, with account tracking.

The reference fails to disclose, teach or suggest the system, method and article of manufacture for a development architecture framework of the present invention which includes managing information that supports a project being carried out by a development architecture framework; handling security of the development architecture framework by defining security requirements and auditing the development architecture framework to ensure that the security requirements are met; ensuring quality of the project being carried out by the development architecture framework by obtaining measurements relating to predetermined criterion of the project, statistically analyzing the measurements, and training personnel based on the statistical analysis in order to improve the quality of the project; managing the project being carried out by the development architecture framework by generating a plan to carry out the project, scheduling a timeline for executing the plan, tracking the execution of the plan, and reporting information uncovered during tracking; governing an environment in which the project is carried out by the development architecture framework; coordinating the delivery of components of the project in a selected order; rectifying problems that occur during the delivery of the components of the project; and maintaining updated support information during the delivery of the components of the project; as is required by each of the independent claims.

(5) U.S. Pat. No. 5,301,320 by McAtee, et al., issued April 5, 1994

This is titled "Workflow Management And Control System" and it teaches:

Methods and apparatus for defining, executing, monitoring and controlling the flow of business operations. A designer first defines a workflow by providing a template of business activities that expresses the manner in which these activities relate to one another. The system orchestrates performance of the tasks in accordance with the template; in so doing, it integrates various types of application software, and partitions tasks among various users and computers.

The reference fails to disclose, teach or suggest the system, method and article of manufacture for a development architecture framework of the present invention which includes managing information that supports a project being carried out by a development architecture framework; handling security of the development architecture framework by

defining security requirements and auditing the development architecture framework to ensure that the security requirements are met; ensuring quality of the project being carried out by the development architecture framework by obtaining measurements relating to predetermined criterion of the project, statistically analyzing the measurements, and training personnel based on the statistical analysis in order to improve the quality of the project; managing the project being carried out by the development architecture framework by generating a plan to carry out the project, scheduling a timeline for executing the plan, tracking the execution of the plan, and reporting information uncovered during tracking; governing an environment in which the project is carried out by the development architecture framework; coordinating the delivery of components of the project in a selected order; rectifying problems that occur during the delivery of the components of the project; and maintaining updated support information during the delivery of the components of the project; as is required by each of the independent claims.

(6) PCT Int. Pub. No. WO 99/08208 by Segaran, published February 18, 1999

This is titled "Internet Transaction Processing Interface" and it teaches:

An Internet transaction process interface for software applications residing in an object oriented client server environment which dynamically generates HTML code. Internet user requests are passed from a web server to the object oriented environment. User session management, manages and maintains web connected users via use of TCT/IP address lists, unique session IDs and their corresponding session objects. Each session object calls upon pre-stored application forms which include menus, controls and implicitly assigned data from the user requests. The controls are executed via a method and the output returned to the form, this is then converted to corresponding HTML strings and passed back to the web browser.

The reference fails to disclose, teach or suggest the system, method and article of manufacture for a development architecture framework of the present invention which includes managing information that supports a project being carried out by a development architecture framework; handling security of the development architecture framework by defining security requirements and auditing the development architecture framework to ensure that the security requirements are met; ensuring quality of the project being carried out by the development architecture framework by obtaining measurements relating to predetermined criterion of the project, statistically analyzing the measurements, and training personnel based on the statistical analysis in order to improve the quality of the project; managing the project being carried out by the development architecture framework by

generating a plan to carry out the project, scheduling a timeline for executing the plan, tracking the execution of the plan, and reporting information uncovered during tracking; governing an environment in which the project is carried out by the development architecture framework; coordinating the delivery of components of the project in a selected order; rectifying problems that occur during the delivery of the components of the project; and maintaining updated support information during the delivery of the components of the project; as is required by each of the independent claims.

(7) "Microsoft Solutions Framework Overview: A Quick Tour of the MSF Models."

URL: [http://channels.microsoft.com/enterprise/support/support/consult/](http://channels.microsoft.com/enterprise/support/support/consult/pages_c_msfOverview1.htm) pages c_msfOverview1.htm through c_msfOverview9.htm, dated June, 1999

This series of nine linked documents discusses (1) planning, building, and managing systems with the Microsoft Solutions Framework (MSF); (2) building high performance teams, in the context of MSF; (3) making development tradeoffs; (4) designing for flexibility; (5) anticipating user needs; (6) integrating the business; (7) deploying systems better; (8) improving the return on investments; and (9) determining what will make MSF most effective.

The reference fails to disclose, teach or suggest the system, method and article of manufacture for a development architecture framework of the present invention which includes managing information that supports a project being carried out by a development architecture framework; handling security of the development architecture framework by defining security requirements and auditing the development architecture framework to ensure that the security requirements are met; ensuring quality of the project being carried out by the development architecture framework by obtaining measurements relating to predetermined criterion of the project, statistically analyzing the measurements, and training personnel based on the statistical analysis in order to improve the quality of the project; managing the project being carried out by the development architecture framework by generating a plan to carry out the project, scheduling a timeline for executing the plan, tracking the execution of the plan, and reporting information uncovered during tracking; governing an environment in which the project is carried out by the development architecture framework; coordinating the delivery of components of the project in a selected order; rectifying problems that occur during the delivery of the components of the project; and maintaining updated support information during the delivery of the components of the project; as is required by each of the independent claims.

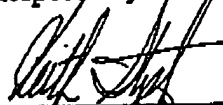
6. Declaration

As the undersigned practitioner, being duly registered to practice before the U.S. Patent and Trademark Office, I declare that I have made or caused to be made the careful and thorough search of the prior art as described herein.

Hickman Stephens & Coleman, LLP
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Respectfully Submitted,



Keith Stephens
Reg. No. 32,632

PATENT POSTCARD

Docket No.: AND1P229 Serial No.: 09/387,747 Date: 10/15/99
By: LKS/JAC Filing Date: 8/31/99 Express Mail No.: _____
Inventor(s): Michel K. Bowman-Amuah
Title: A System, Method And Article Of Manufacture For A
Development Architecture Framework

The following has been received in the U.S. Patent & Trademark Office on the date stamped below:

- X Petition to Make Special
- X Information Disclosure Statement
- X PTO Form 1449
- X 7 References
- X Return Post Card



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